

REMARKS

Claims 1-13 were pending in the subject application before this amendment. Claims 1-3 and 5-8 are amended. Claims 4 and 9-13 are canceled. New claims 14-22 are added. Thus, claims 1-3, 5-8, and 14-22 are pending in the subject application after this amendment.

The disclosure has been objected to because of the use of the term "workbench" in the specification. Accordingly, the specification has been amended to change the term "rear workbench" to -- rear structure --. In addition, a sentence is added after the first use of the term "rear structure" to clarify that the "rear structure, such as a separator wall or plate, separates the cabin from the trunk of the car." Further, the specification has been amended to change the words "blots" to --bolts-- and "rising" to --raising--. No new matter is believed to be added by these amendments.

Claims 1 and 2 are objected to because of certain informalities. Accordingly, claim 1 has been amended herein to delete the word "be" and claim 2 has been amended herein to delete the phrase "said push rod is a thread rod." Withdrawal of said objection to claims 1 and 2 is, therefore, respectfully requested.

Claims 1-13 are rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention. Claims 1-13 are amended herein to address examiner's 35 U.S.C. § 112, 2nd paragraph, rejection, and therefore it is respectfully submitted that withdrawal of the rejection of claims 1-13 is in order.

The Examiner has indicated that claims 2 and 9 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 9 has been canceled herein. Objected to 2 has not been rewritten into independent form since base claim 1 from which it depends is believed allowable as explained below.

Reconsideration of the rejection of claims 1 and 4 under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 3,479,079 to Coursault ("Coursault") is requested. It is believed that amended independent claim 1, and dependent claim 4, are not anticipated by Coursault for the reasons given below.

Regarding claim 1, Coursault does not disclose or suggest "the lower end of the extendable and retractable enclosure plate being *fixedly* connected with the surrounding wall of the

cabin" in combination with "the upper end of the extendable and retractable enclosure plate being *fixedly* connected with the roof cover plate of the cabin." (*Italics provided.*) Instead, as disclosed at col. 1, lines 55-67, and shown in Figs. 2-3, Coursault's teaches a frame structure 2, 3, 4, 24, 25 that is "easily detachable and in its folded position its dimensions are so reduced that it can easily be placed in the luggage compartment or even tucked away in the passenger compartment without causing any interference." Also, Coursault does not disclose or suggest "a raising and lowering device ... fixedly attached to a car body portion." Instead, as indicated above, Coursault's raising and lowering device 2, 4 is detachable. Accordingly, applicants respectfully submit that amended independent claim 1, and dependent claim 4, are not anticipated by Coursault, and hence withdrawal of the 35 U.S.C. 102(b) rejection thereof is respectfully requested.

The rejection of claims 3 and 5-8 is rendered moot because these claims depend from claim 1 which is in condition for allowance for the reasons given above.

New claim 14 depends from claim 1, and is, therefore, allowable for the reasons given above in support of claim 1.

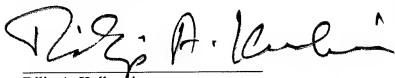
New independent claim 15 is allowable because the prior art cited by the examiner does not disclose or suggest 1) "the lower end of the extendable and retractable enclosure plate being fixedly connected with the surrounding wall of the cabin," 2) "the first raising and lowering device ... being operable to raise and lower the roof cover plate of the cabin," and 3) "the extendable and retractable enclosure plate being able to be extended by the second raising and lowering device to form a sealed cabin together with the roof cover plate of the cabin and being retracted as the roof cover plate of the cabin is lowered." Claims 16-21 depend from claim 15, and are, therefore, allowable for the reasons given above in support of claim 15.

New independent claim 22 is allowable because the prior art cited by the examiner does not disclose or suggest "a raising and lowering device ... including a push rod that translates generally vertically and that has an upper end coupled to the roof cover plate."

In view of the foregoing amendment and supporting remarks, the subject application is now deemed to be in condition for allowance, and such action is respectfully requested. If the Examiner believes that a telephonic interview would expedite the allowance of this application, he is requested to contact the undersigned for a prompt resolution of any outstanding issues.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response, and shortages and other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435, with reference to file 42505-200124.

Respectfully submitted,
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